

Official Form 417A (12/23)

FEE PAID  
\$298.

[Caption as in Form 416A, 416B, or 416D, as appropriate]

## NOTICE OF APPEAL AND STATEMENT OF ELECTION

### **Part 1: Identify the appellant(s)**

1. Name(s) of appellant(s):  
Andrew Robert McLellan, TTEE
2. Position of appellant(s) in the adversary proceeding or bankruptcy case that is the subject of this appeal:

For appeals in an adversary proceeding.

- ☐ Plaintiff  
☐ Defendant  
☐ Other (describe) \_\_\_\_\_

For appeals in a bankruptcy case and not in an adversary proceeding.

- ☐ Debtor  
☐ Creditor  
☒ Trustee  
☐ Other (describe) \_\_\_\_\_

### **Part 2: Identify the subject of this appeal**

1. Describe the judgment—or the appealable order or decree—from which the appeal is taken:  
Order on Motion To Dismiss
2. State the date on which the judgment—or the appealable order or decree—was entered:  
Order-10/08/24, Cert. of Service 10/11/24

### **Part 3: Identify the other parties to the appeal**

List the names of all parties to the judgment—or the appealable order or decree—from which the appeal is taken and the names, addresses, and telephone numbers of their attorneys (attach additional pages if necessary):

1. Party: Please see attached Attorney: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_
2. Party: Please see attached Attorney: \_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_  
\_\_\_\_\_

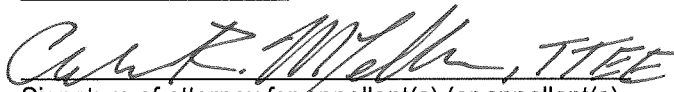
FILED  
2024 OCT 22 2:25 PM  
U.S. BANKRUPTCY COURT

**Part 4: Optional election to have appeal heard by District Court (applicable only in certain districts)**

If a Bankruptcy Appellate Panel is available in this judicial district, the Bankruptcy Appellate Panel will hear this appeal unless, pursuant to 28 U.S.C. § 158(c)(1), a party elects to have the appeal heard by the United States District Court. If an appellant filing this notice wishes to have the appeal heard by the United States District Court, check below. Do not check the box if the appellant wishes the Bankruptcy Appellate Panel to hear the appeal.

☐ Appellant(s) elect to have the appeal heard by the United States District Court rather than by the Bankruptcy Appellate Panel.

**Part 5: Sign below**



Date: October 22nd, 2024

Signature of attorney for appellant(s) (or appellant(s) if not represented by an attorney)

Name, address, and telephone number of attorney (or appellant(s) if not represented by an attorney):

The Office of The Trustee

Andrew Robert McLellan Living Estate Trust

Attn: Andrew R. McLellan, TTEE

c/o 4159 White Horse Road, Malvern, PA 19355-9999

**\*\*Additionally with this NOTICE OF APPEAL AND STATEMENT OF ELECTION is requested that all "Creditors" Stay(s) remain in-place during The Appeal.\*\***

Fee waiver notice: If appellant is a child support creditor or its representative and appellant has filed the form specified in § 304(g) of the Bankruptcy Reform Act of 1994, no fee is required.

**[Note to inmate filers:** If you are an inmate filer in an institution and you seek the timing benefit of Fed. R. Bankr. P. 8002(c)(1), complete Director's Form 4170 (Declaration of Inmate Filing) and file that declaration along with the Notice of Appeal.]

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

In re:  
ANDREW ROBERT MCLELLAN  
LIVING ESTATE TRUST

Case No. 24-12201-amc  
Chapter 13

**NOTICE OF APPEAL AND STATEMENT OF ELECTION**

**CERTIFICATE OF NOTICE**

To the Clerk of Courts,  
Kindly Please distribute this:

**NOTICE OF APPEAL AND STATEMENT OF ELECTION per JUDGES'S ORDER TO DISMISS**  
**dated: October 8th, 2024**  
**TO:**

Recip ID	Recipient Name and Address
	+
14918105	+ Amelia Investors, LLC, 3145 Boise Place, Philadelphia, PA 19145-5419
14922037	+ Deni Carise, C/O Edmund J. Campbell, Jr. Esquire, Campbell Rocco Law, LLC, 2201 Renaissance Blvd. 3rd Floor, King of Prussia, PA 19406-3619
14920150	+ Deni Carise, 159 Arden Road, Conshohocken, PA 19428-2501
14912739	+ Huntingdon National Bank, C/O Denise Carlon, 701 Market Street, Ste. 5000, Philadelphia, PA 19106-1541
14915291	+ Huntington National Bank, c/o Denise Carlon, Esq., KML Law Group, P.C., 701 Market Street, Suite 5000, Philadelphia, PA 19106-1541
14906005	+ Navy Federal Credit Union, C/O Tammy L. Terrell Benoza, 7660 Imperial Way, Ste. 121, Allentown, PA 18195-1022
14921555	+ Richard C. DeMarco, Esq., One Commerce Square, 2005 Market Street, 16th Floor, Philadelphia, PA 19103-7062
14921556	+ Zarwin Baum DeVito Kaplan Schaer & Toddy PC, One Commerce Square, 2005 Market Street, 16th Floor, Philadelphia, PA 19103-7062

Recip ID	Notice Type: Email Address	Date/Time	Recipient Name and Address
smg	Email/Text: megan.harper@phila.gov	Oct 08 2024 23:55:00	City of Philadelphia, City of Philadelphia Law Dept., Tax Unit/Bankruptcy Dept, 1515 Arch Street 15th Floor, Philadelphia, PA 19102-1595
smg	Email/Text: RVSVCBICNOTICE1@state.pa.us	Oct 08 2024 23:55:00	Pennsylvania Department of Revenue, Bankruptcy Division, P.O. Box 280946, Harrisburg, PA 17128-0946
14905145	+ Email/PDF: ebn_ais@aisinfo.com	Oct 09 2024 00:58:17	Capital One, N.A., 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
14912513	^ MEBN	Oct 08 2024 23:53:27	Huntingdon National Bank, C/O KML Law Group, 701 Market Street Suite 5000, Philadelphia, PA. 19106-1541
14904867	^ MEBN	Oct 08 2024 23:53:28	Navy Federal Credit Union, P.O. Box 23800, Merrifield, Virginia 22119-3800
14923484	+ Email/Text: bankruptcy@huntington.com	Oct 08 2024 23:55:00	The Huntington National Bank, PO Box 89424, OPC856, Cleveland OH 44101-6424
14922050	+ Email/Text: bankruptcy@bbandt.com	Oct 08 2024 23:55:00	Truist Bank, Support Services, P. O. Box 85092, Richmond, VA 23286-0001
14918186	+ Email/PDF: ebn_ais@aisinfo.com	Oct 09 2024 00:19:49	Verizon, by American InfoSource as agent, 4515 N Santa Fe Ave, Oklahoma City, OK 73118-7901
14918299	Email/PDF: ebn_ais@aisinfo.com	Oct 09 2024 00:07:09	Verizon by American InfoSource as agent, PO Box 4457, Houston TX 77210-4457

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

In Re:

ANDREW ROBERT MCLELLAN

Debtor

Chapter 13

Bankruptcy No. 24-12201-AMC

ORDER

**AND NOW**, upon consideration of the Motion to Dismiss Case filed by Kenneth E. West, Esq., Standing Trustee, and after notice and hearing, it is hereby **ORDERED** that this case is **DISMISSED** and that any wage orders previously entered are **VACATED**.

**IT IS FURTHER ORDERED** if the case has been confirmed and the Trustee is holding funds, any undisbursed funds held by the Chapter 13 Trustee from payments made on account of the Debtor(s)' plan shall be refunded to the Debtor(s) unless a party in interest files a Motion for Alternative Disbursement within 21 days of the entry of this Order.

Date: October 8, 2024



Honorable Chief Judge Ashely M. Chan  
Bankruptcy Judge

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

In Re: ANDREW ROBERT MCLELLAN  
LIVING ESTATE TRUST

Chapter 13

Bankruptcy No. 24-12201-AMC

SPECIAL\*\*\*\*\*PRIVATE\*\*\*\*\*CONFIDENTIAL

To this Honorable Tribunal,

Please find this **Notice of Appeal** to the Order of Dismissal for Account 24-12201-amc decreed October 8<sup>th</sup>, 2024 (Certificate of Service – October 11<sup>th</sup>, 2024) by Honorable Ashely M. Chan, upholding The Office of The Trustees Motion To Dismiss.

The Independent Trustees Motion to Dismiss purportments:

Debtor(s) is/are ineligible to file a Chapter 13 petition pursuant to 11 U.S.C. Section 109(e) because debtor(s) is/are not an individual with regular income or because the aggregate secured and/or unsecured debt of debtor(s) exceeds the statutory limits.

**R1. Andrew R. McLellan, The Trustee, of the ARM Living Estate Trust, has administered The Trust on behalf of the beneficiary, McLellan, Andrew Robert, and executed all at-law requirements as such.**

**The motion to dismiss, by the Independent Trustee, was requested for subrogation. The Independent Trustee, Standing OR ACTING, unwittingly or unknowingly, had not recognized nor uphold The Said Trustee's lawful act and proceeded to initiate a Motion of Dismissal against Said Trustee to effectively deny and deprive THE TRUST of a remedy for discharge of the debt at law. Remedies well settled within the law, (7th Jud. Dist. Crt. – Case No. 2001-31518-CICI – Bank One NA v. Robert Ward) have been delivered by Said Trustee, Andrew R. McLellan, and hence were ignored, Independent Trustee, as a proper party in the action was improper, subsequently breaching his fiduciary duty in accordance with the applicable laws appertaining to, The Trust, lawful remedy for the discharge of the alleged debt(s).**

**Said Trustee, as a friend to the Tribunal, disagreed with the Independent Trustee purportment, except that the Debtors Account is not an "Individual" and; thereby acknowledged and declared the existence of the ARM Living Estate Trust and contended that he is rightfully possessed of and bound by the trust [property]; as it is remediless at law, therefore the only thing inquired of the Court of Equity, is whether the "estate" bound by this Trust, may come into the hands of "persons" who are either bound to execute the trust or to preserve the "estate" [property] for the beneficiaries and heirs entitled to it. Trustee avers and contends that if the "estate", is of an equitable nature, and is chargeable with debts, the fund is to be deemed equitable assets unless by some statute it is expressly made legal assets; for it cannot be reached except through the instrumentality of a Court of Equity, for this reason, Said Trustee as a result of this seek leave of this, at law action, in rem, compelling the Tribunal to open the equity side, to administer equity and address any unresolved matters under "Account" 24-12201-amc and; Said Trustee compelled Creditors to exonerate the surety, so that it doesn't impose any injurious damages to the Trust. Additionally, Said Trustee, placed on The Record with The Tribunal, The Deed of Trust Certificate, Issued by the Court of Equity, County of Chester Pennsylvania.**

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

In Re: ANDREW ROBERT MCLELLAN  
LIVING ESTATE TRUST

Chapter 13

Bankruptcy No. 24-12201-AMC

SPECIAL\*\*\*\*\*PRIVATE\*\*\*\*\*CONFIDENTIAL

*Please see attached Exhibit "A" entered into The Record for Account #24-12201-amc. Debtor(s) has/have failed to commence or continue making timely payments to the trustee as required by 11 U.S.C. Section 1326.*

**R2. *Contrary to the purportment by the Independent Trustee, Said Trustee had provided the necessary receipts and tender, notifications and documents, required by law to facilitate the Independent Trustee's fiduciary responsibility to administer adequate remedy at law. For Full Settlement of all accounts, on behalf of the Beneficiary, McLellan, Andrew Robert, two Certificated Instruments (BOE #1 & BOE #2), issued through Trust Account DSSAN# \*\*\*\*\*0710, placed on Deposit by Trust Certificate file #1005360-1976, with this Tribunal, US Bankruptcy Court Eastern District of PA, assigned to Nominee Payor, Honorable Ministerial Chancellor Ashely M. Chan, proof of receipt by Clerk of Court stamp and USPS Registered Tracer (RA640339685US & RA640339677US), backed by The Full Faith & Credit Clause, Said Trustee had tendered (2) written orders (BOE #1 & BOE #2), on July 3<sup>rd</sup>, 2024, in effect for demand payment, to commence any bank adjustment(s), errors, bank liquidation, and or satisfy and discharge the obligation. Said Trustee explicitly recorded Notice of the remedy lawfully accorded under the applicable law by way of receipts and tender and provided the Independent Trustee with the necessary documents required by law to implement the remedy, The Trust (DSSAN) is entitled to.***

*Please see attached Exhibit "B" entered into The Record for Account #24-12201-amc. Additionally, NFCU, acting on behalf of NCUA, as agent of the US Treasury, as custodian for and on behalf of the ARM Living Estate Trust accepted, by way of USPS Registered Tracer (RF620710765US), monetary instrument represented by a Certificate (BOE #3 – RF620710765US – \$ 3,455,424.00-THREE MILLION, FOUR HUNDRED FIFTY-FIVE THOUSAND, FOUR HUNDRED AND TWENTY-FOUR DOLLARS AND ZERO CENTS – U.S. Notes), In Lieu of legal tender, on September 16<sup>th</sup>, 2024.*

*Please see attached Exhibit "C" entered into The Record for Account #24-12201-amc.*

I, Andrew R. McLellan, The Trustee In Fact, for and on behalf of, The Andrew Robert McLellan Living Estate Trust, make the following averments, additionally to the forestated, upholding This Notice of Appeal.

- I. Whereas, to all Acting Trustee(s) within this action under trust: EQUITY FOLLOWS THE LAW! This Tribunal and the Clerk of Court, is duty bound to do equity as fiduciaries, ensuring that the utmost protection of the cestui que rights of the beneficiary and all "trust res" received from the estate, not excluding any instruments bearing the following receipt tracking numbers (BOE #1 – RA640339685US – \$723,238.00-SEVEN HUNDRED TWENTY-THREE THOUSAND, TWO HUNDRED AND THIRTY-EIGHT DOLLARS AND ZERO CENTS – U.S. Notes) & (BOE #2 – RA640339677US – \$3,561,846.00-THREE MILLION, FIVE HUNDRED SIXTY-ONE THOUSAND, EIGHT HUNDRED AND FORTY-SIXTY DOLLARS AND ZERO CENTS – U.S.**

# UNITED STATES BANKRUPTCY COURT EASTERN DISTRICT OF PENNSYLVANIA

In Re: ANDREW ROBERT MCLELLAN  
LIVING ESTATE TRUST

Chapter 13

Bankruptcy No. 24-12201-AMC

SPECIAL\*\*\*\*\*PRIVATE\*\*\*\*\*CONFIDENTIAL

Notes) and certificated securities deposited, Order No. 9493990, herein are accounted and acknowledged to U.S. Treasury; furthermore this trust is hereby enforced, by law and by virtue, in favor of the beneficiary having all rights, title and interest thereof and having a right of action to take possession and control of *[its]* common property for its protection against loss of being drained, this tribunal shall grant affirmative relief in favor of petitioner by enforcing an equitable claim; as the beneficiary is the true owner of the *res* even in the "case of benefiting creditors"

II. Whereas, Said Trustee by way of the annex deposit slip, hereby assign otherwise grant and convey or otherwise release to the beneficial ownership and the special deposits for consideration of settlement and closure of the account under 24-12202-amc.

*i. Maxim: "Equity will not allow a trust to fail for want of a trustee"*

III. Whereas, on behalf of McLellan, Andrew Robert, The Beneficiary, being the only real interested party at all times, The ARM Trust administered the "estate", State Created Incorporate Entity, ANDREW ROBERT MCLELLAN, DSSAN# \*\*\*\*\*0710 and Trust Certificate Master file #1005360-1976, Secured party – Creditor, *ab initio* and *sui juris* fully and completely bound by This Trust, to bring forth all "open" accounts for settlement in full.

IV. Decreed by Statute at Large, Volume 13, 38<sup>th</sup> Congress, pages 109-129, Title 62 of the Revised Statute, and USC Title 12,

All Depositories [Banks] are prohibited by Law to:

- i. Issue loans backed by Depositors assets. (Established by countless settled at law cases)
- ii. Issue loans backed by [Its] Assets or Capital Stock. (12 USC, Chap 2, Sub Chap 4, Sec 83)
- iii. Pledge or Hypothecate [Its] Notes. (12 USC 581 repealed to Title 18)

All Depositories [Banks], Sub-Servicers to the Creditors, May by Law:

- i. Enter into Trust Agreements to Purchase Credit from Secured Party Creditors.
- ii. Create Securities solely to the benefit of Customer Accounts. (12 USC, Chap 24, 7<sup>th</sup>)
- iii. Underwrite Securities solely to the benefit of Customer Accts. (12 USC, Chap 24, 7<sup>th</sup>)

*ii. Maxim: "Equity will not allow a statute to be used as a cloak for fraud"*

V. Additionally; agents for NFCU and Huntington Bank, having no perfected firsthand knowledge, made [Its] claims solely by filing copies of The Notes, lawfully Issued by The Trust, as Depositories [Banks] are prohibited by law to do so. Further, it is well established case law that a Note is not proof of a debt, only an accessory to. Furthermore, it is well established case law that conclusively absent the Original Note there is no claim, therefore there is no debt.

*iii. Maxim: "Equity ignores the fiction"*

UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

In Re: ANDREW ROBERT MCLELLAN  
LIVING ESTATE TRUST

Chapter 13

Bankruptcy No. 24-12201-AMC

SPECIAL\*\*\*\*\*PRIVATE\*\*\*\*\*CONFIDENTIAL

In Acknowledgement of the above aforementioned, in synergy with The United States Treasury Credit Financial System, and Administering the Trust Affairs with as such, The ARM Trust Issued \$900,000.00 Federal Reserve Notes in junction with a Certificated Instrument "Note", Permitting NFCU [It] to Induce The ARM Trust DSSAN# \*\*\*\*\*0710 and Master file #1005360-1976, to form Security(s), in the name of, and for the benefit of, The Beneficiary, McLellan, Andrew Robert. A "thing" can not simultaneously be a "debt" and an "asset"! Allegedly Huntington Bank has Induced the Trust Acct# and created Security(s) in the name of The Beneficiary to The ARM Trust.

Please see attached Exhibit "D".

*iv. Maxim: "Equity regards the Beneficiary as the true owner"*

VI. Whereas, with the above aforementioned, unacknowledged by This Tribunal, as Friend to This Tribunal and non-belligerent, Said Trustee administered the ARM Trust as not to slight nor slander, as not to discharge, rather to uphold in congruence with, to Settle all claims with this Account 24-12202 and Settle all National Deficit Accounts in the Name of The Secured Party-Creditor.

VII. Therefore, I offer the following prayers up to this Tribunal;

Before the Lord; for He cometh to judge the earth: with righteousness shall he judge the world, and the people with equity. Psalms 89:9.

For nothing is secret, that shall not be made manifest; neither any thing hid, that shall not be known and come abroad. Luke 8:17.

For there is no respect of persons with God. Romans 2:11.

Please Accept This Motion of Appeal to:

Grant Leave to open the equity business in this matter, Intervene, *in rem*, to address and resolve the unresolved issues related to Account Number 24-12201-amc, and This Tribunal appoint a Master to marshal in and or deliver a full audit of *the res* accounts.

*v. Maxim: "Equity delights to do justice, and not by halves"*

Date: 10/22/2024

Respectfully submitted,

  
\_\_\_\_\_  
Andrew R. McLellan, Trustee



UNITED STATES BANKRUPTCY COURT  
EASTERN DISTRICT OF PENNSYLVANIA

In Re: ANDREW ROBERT MCLELLAN  
LIVING ESTATE TRUST

Chapter 13

Bankruptcy No. 24-12201-AMC

SPECIAL\*\*\*\*\*PRIVATE\*\*\*\*\*CONFIDENTIAL  
ORDER

**AND NOW**, upon consideration of this **NOTICE OF APPEAL** filed by Said Trustee, it is hereby **ORDERED** that this matter is **GRANTED**:

Grant Leave: To open the equity business in this matter.

Intervene in Rem: To address and resolve the unresolved issues related to Account Number 24-12201-amc.

This Tribunal shall appoint a Master to marshal in and or deliver a full audit of *the res* accounts.

“Creditors” Stay remains in-place.

Dated: \_\_\_\_\_

\_\_\_\_\_  
Honorable Ministerial Chancellor Ashely M. Chan

# *Exhibit “A”*

FILED  
2024 OCT 22 P 2:27  
U.S. BANKRUPTCY COURT

## TRUSTEE CERTIFICATE OF APPOINTMENT

COMMONWEALTH OF PENNSYLVANIA }

COUNTY OF CHESTER }

FILE NUMBER: 15-24-2255

IN THE MATTER OF: ANDREW ROBERT MCLELLAN

---

I, Janell A. Morgan, Assistant Clerk of the Orphans' Court Division, of the Court of Common Pleas, in and for the County Of Chester, Commonwealth of Pennsylvania, hereby certify that on the

3rd day of October , 2024

**Andrew Robert McLellan**

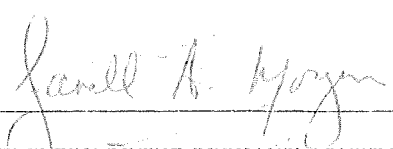
was appointed Trustee of Andrew Robert McLellan Living Estate under the

Deed of Trust dated 10/3/2024 of said Andrew Robert McLellan

Bond in the sum of \$0.00 was duly filed and approved by the Court on N/A, and the same remains of record in the office of the Clerk of the Orphans' Court Division of the Court of Common Pleas, Chester County, PA.

*IN WITNESS WHEREOF, I have hereunto set my hand and affixed the seal of said Court at*

*West Chester, PA this 3rd day of October, 2024.*

  
\_\_\_\_\_  
ASSISTANT CLERK OF THE ORPHANS' COURT DIVISION

NOT VALID WITHOUT IMPRESSED SEAL

# *Exhibit “B”*

FILED  
2024 OCT 22 P 2:28  
U.S. BANKRUPTCY COURT

## Certificate Of Deposit

Account Number: 24-12201-amc

Depositor/Bailor: Andrew R. McLellan, Trustee – ANDREW ROBERT MCLELLAN LIVING ESTATE TRUST

Purpose of Deposit: For Full Settlement and Discharge of Account # 24-12201 -amc.

Transaction Reference: DSSAN \*\*\*\*\*0710 & File #\*\*\*\*\*-1976

Description: Bill of Exchange – Bill of Acceptance – Time Draft #1 & Bill of Exchange – Bill of Acceptance – Time Draft #2.

Reference Number: RA 640 339 677 US & RA 640 339 685 US

Value: BOE #1 - \$3,561,846.00 (Three Million Five Hundred and Sixty-One Thousand Eight Hundred and Forty-Six) BOE #2 - \$723,238.00 (Seven Hundred and Twenty-Three Thousand Two Hundred and Thirty-Eight)

Date of Deposit: June 26<sup>th</sup>, 2024

A handwritten signature in black ink, appearing to read "Andrew R. McLellan", is written over a horizontal line.

Andrew R. McLellan, Trustee/Bailor

COMMONWEALTH OF PENNSYLVANIA · DEPARTMENT OF HEALTH	
Certification of Birth	
DATE OF BIRTH (MO. DAY YEAR)	FILE NO.
██████ - 1976	██████ - 1976
COUNTY OF BIRTH	DATE FILED (MO DAY YEAR)
CHESTER	09-15-1976
	DATE ISSUED (MO DAY YEAR)
	07-14-1999
NAME	ANDREW ROBERT MCLELLAN
SEX	MALE
<p>This is to certify that this is a true copy of the record which is on file in the Pennsylvania Department of Health, in accordance with Act 68, P.L. 304, approved by the General Assembly, June 29, 1953.</p> <p><i>Charles Hardester</i> CHARLES HARDESTER STATE REGISTRAR</p> <p>11105.105 (REV. 01-99)</p> <p>WARNING: IT IS ILLEGAL TO DUPLICATE THIS COPY BY PHOTOSTAT OR PHOTOGRAPH</p>	



BAK

9493990

## MEMORANDUM

The drawee(s), [United States Bankruptcy Court] and its' bank is only obligated to pay the draft if it has been delivered specified documents, sufficient funds-stock certificated security proceeds of the drawer's federal agency account and if the draft is properly presented.

Pennsylvania Title 13, Chapter 41, Section 4104, Definitions and index of definitions. "Documentary draft." A draft to be presented for acceptance or payment if specified documents, certificated securities (section 8102) or instructions for uncertificated securities (section 8102) or other certificates, statements or the like are to be received by the drawee or other payer before acceptance or payment of draft (is to be made to the named person or bearer).

Under this same section, "Draft." A draft as defined in section 3104 (relating to negotiable instrument) or an item, other than an instrument, that is an ORDER (therefore, a draft is written payable to bearer or named person).

Pursuant to section 4102, if there is a conflict, Division 3 is governed by Division 4, for which Division 4 is governed by Division 8. And NO WRIT OF POSSESSION shall issue against said Owner, Tenant and or Occupant, unless permitted by applicable law, notwithstanding anything herein to the contrary, this final payment shall not affect the rights of any "person" protected by the right of redemption given the United States under 28 USC § 2410.

Case NO.: 24-12201

UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA

BANKRUPTCY PAYMENT PLAN

In accordance with is presented under authority of Public Resolution HJR 192 of 5 June 1933, now Public Law 73-10, UCC § 3-419, UCC § 3-104(c), and Registered Adjustment of Account; Trustee/Bailor/Secured Party-Creditor on behalf of the Estate hereby issue Letter of Advice and Bill Of Exchange for the following accounts for Full Discharge, Settlement, and Restoration of the Record.

Each Bill Of Exchange listed value totals; declared account payment in full (listed below), 1 additional monthly payment to cover daily pro rata expenses (where applies), 10% processing/servicing fee for The Office of the Trustee, and 10% processing/servicing fee for The Eastern District of Pennsylvania, United States Bankruptcy Court. Copies of the B.O.E. have been attached to this Payment Plan. As Fiscal Agent for The United States of America, B.O.E. originals have been delivered directly to the Judge's Chambers, guaranteeing Safe Passage to The United States Treasury.

**BOE #1**

1. Navy Federal Credit Union – Account #8029225409 – \$2,471,404.00
2. Navy Federal Credit Union – Account #8032656863 – \$496,801.00

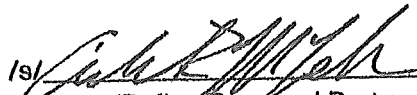
Total \$2,968,205.00 + \$296,820.50 + \$296,820.50 = **\$3,561,846.00**

**BOE #2**

1. Huntington Bank – Account #20-200062643430 – \$25,000.00
2. Internal Revenue Service – Account # \*\*\*\*\*0710 – \$250,000.00
3. Amelia Investors – \$376,265.00
4. Deni Carise – \$585,499.00
5. Capital One – Account # ???????? – \$2,500.00
6. PECO – Account #9026529000 – \$12,034.00
7. PECO – Account #3815114000 – \$2,665.00

Total \$602,698.00 + \$60,270.00 + \$60,270.00 = **\$723,238.00**

Date: 06/26/2024

/s/ , McLellan, Andrew  
Trustee/Bailor/Secured Party - Creditor  
All Rights Reserved, Without Prejudice and Without  
Recourse



## LETTER OF ADVICE

NOT SUBJECT TO NEGOTIABILITY- ACCEPTED FOR VALUE

In Re: Estate of McLellan - Orphans' Court - Chester County, PA

Date: June 26<sup>th</sup>, 2024

Attn: NAVY FEDERAL CREDIT UNION,  
Fiduciary Trustee, Bailee  
820 Follin Lane SE, Vienna, Virginia U.S.A. 22180  
Assigned to: Dietrich Kuhlman, Fiduciary TTEE

McLellan, Andrew, Trustee/Bailor  
c/o PA Debtor Index File # \*\*\*~\*\*\*~  
LOAN # 8029225409 and 8032656863  
4159 Whitehorse Road - Pennsylvania-19355

Re: NOTICE- Processing of Bill of Exchange (BOE-Time Draft)

The Fiduciary Trustee, NAVY FEDERAL CREDIT UNION, is in receipt of the (BOE-TD) for processing of which will satisfy the entire current amount stated on purported claims/BK payment plan agreement herein Accepted for Value. This Negotiable Instrument is presented under authority of Public Law 73-10, UCC § 3-419, UCC § 3-104(c), *Spencer v Sterling Bank*, 63 Cal App. 4<sup>th</sup> 1055 (1998), *Guaranty Trust Co of New York v Henwood et al*, 59 S. Ct 847, and *Within Negotiable Instruments*, Vol 3 (2001 Supplement) on the undersigned's UCC Contract Trust Account. The following are the steps required to settle this account. This is not a Treasury/ Bond Account. Any fiscal agent or District Court of the United States may accept this BOE-TD for safe passage to the Treasury.

1. The enclosed Negotiable Instrument is hereby presented, and the following process must be followed to the letter to satisfy the claimed amount due on this account and discharge of this debt; and
2. Payment may only be accessed with any approval through the account of NAVY FEDERAL CREDIT UNION and directly to the Secretary of the Treasury. The Negotiable Instrument must be presented by Claimants'/Bailee's financial institution via Certified or Registered mail directly to the Secretary of the Treasury-Department of the Treasury Bank (Federal Window), 1500 Pennsylvania Avenue, NW, Washington, District of Columbia 20220, Attn: Janet Yellen; and
3. The item processor at Claimant's financial institution, with full identification and BAILEE (Authorized Agent) signature, is to present the original Negotiable Instrument along with the Instruction Notice (LOA) and the stamped claim to the Secretary of the Treasury-Department of the Treasury Bank at the above address; and
4. Claimant's financial institution is to retain copies of the document and request a copy of the Return Receipt from the Federal Window be supplied to them noting the date of the original Negotiable Instrument was received at the Federal Window in accordance with Public and Banking Policy; and
5. The copy of the Negotiable Instrument is to be held at the financial institution until the required period until the full-face amount of the Negotiable Instrument is automatically released by the local commercial pass-through financial institution for credit to Claimants'/Bailees' accounts and discharge and lodge an entry of satisfaction onto Chester County, Pennsylvania of all said claims; and
6. If the Secretary of the Treasury (Drawee) sends a Notice, in writing of some error(s) or problem(s), please notify the undersigned Trustee/Bailor immediately upon receipt of such Notice and the matter will be addressed with the Department of the Treasury Banks' federal window. You will be notified of the corrective action taken, if any.

Thank you for your cooperation in getting this tax matter settled and entry of satisfaction recorded.

/s/ , McLellan, Andrew  
Trustee/Bailor/Secured Party - Creditor

\$ 3,561,846.00

\$3,561,846.00

**BILL OF EXCHANGE**

Bill of Acceptance - Time Draft

McLellan, Andrew, Trustee/Bailor/Secured Party - Creditor  
o/o PA Debtor Index File # \*\*\*\*  
4159 Whitehorse Road  
PENNSYLVANIA U.S.A. [19355]

Date: June 26<sup>TH</sup>, 2024

To: Secretary of the Treasury, Department of the Treasury Bank- Ledger # 00000518

On or by JULY 12<sup>th</sup>, 2024, Credit the account of the fiduciary/fiscal agent, **NAVY FEDERAL CREDIT UNION**,  
as Bailee for LOAN # 8029225409 & 8032656863

**(THREE MILLION, FIVE HUNDRED SIXTY-ONE THOUSAND, EIGHT HUNDRED AND FORTY-SIXTY DOLLARS AND ZERO CENTS) U.S. Notes**

Personal Direct Treasury (UCC Contract) Trust Account # RA- 640 339 677 US

The obligation of the Drawee (acceptor), Secretary of the Treasury, through the Bailee (authorized fiduciary agent for the Commonwealth of Pennsylvania) of Claimant's financial Institution, hereof arises out of the want of consideration for the pledge and by the redemption of the pledge under Public Resolution HJR 192 of 5 June 1933, now Public Law 73-10, UCC § 3-419, UCC § 3-104(c), *Spencer v Sterling Bank*, 63 Cal App. 4<sup>th</sup> 1055 (1998), *Guaranty Trust Co of New York v Henwood et al.* 59 S. Ct 847, and *Witkin Negotiable Instruments*, Vol 3 (2001 Supplement) on the undersigned's UCC Contract Trust Account, represented by the attached Claim/payment plan agreement Accepted for Value and bearing the account number # 8029225409 & 8032656863.

This Claim document is hereby surrendered to Claimant as said pledge is redeemed and (discharged) by the drawer through the attached document of Acceptance for Value and Exempt from Levy. The Claimant's financial Institution is to accept this bill, sign and present it directly via Certified or Registered mail, Return Receipt to the Secretary of the Treasury-Department of the Treasury. Unless the original Negotiable Instrument is dishonored in writing within (15) days of receipt by the Secretary of the Treasury, Claimant's financial Institution is to release the credit to the payee within the time stipulated pursuant to **Regulation "Z"**, *Truth In Lending Act* or on the date designated, whichever is later. The amount of this Accepted Draft is to be credited by Claimant's financial Institution to the designated account and discharge of this claim fifteen (15) days after receipt by the Federal Window (**Regulation Z**).

**NOTICE:** The law relating to Principal and Agent applies and those between Bailor and Bailee. The Fiduciary Trustee below is authorized to execute legal documents pertaining to fiduciary matters before **Chester County** and authorized to receive and collect any sums due or owing to the trust or the estate held by the named person above and enter satisfaction in any Court of Record in **Chester County, Pennsylvania** or any other County elsewhere.

By:

Bailee's signature (authorized agent)  
Accepted at (**United States Bankruptcy Court**)  
601 Market Street, Pennsylvania 19106  
**ATTN: Amy Chan**, Fiduciary TTEE  
Authorized by the United States of America, Secretary of Treasury



Ashley M.  
A.M.J. 6/27/24

/s/ *Andrew McLellan*, Trustee/Bailor/Secured Party - Creditor  
Without Recourse, All Rights Reserved

Document Copies...filed with the DTB and Clerk of Court-Orphans' Court.

\$ 3,561,846.00

\$3,561,846.00

Case NO.: 24-12201

**UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA**

**BANKRUPTCY PAYMENT PLAN**

In accordance with is presented under authority of Public Resolution HJR 192 of 5 June 1933, now Public Law 73-10, UCC § 3-419, UCC § 3-104(c), and Registered Adjustment of Account; Trustee/Bailor/Secured Party-Creditor on behalf of the Estate hereby issue Letter of Advice and Bill Of Exchange for the following accounts for Full Discharge, Settlement, and Restoration of the Record.

Each Bill Of Exchange listed value totals; declared account payment in full (listed below), 1 additional monthly payment to cover daily pro rata expenses (where applies), 10% processing/servicing fee for The Office of the Trustee, and 10% processing/servicing fee for The Eastern District of Pennsylvania, United States Bankruptcy Court. Copies of the B.O.E. have been attached to this Payment Plan. As Fiscal Agent for The United States of America, B.O.E. originals have been delivered directly to the Judge's Chambers, guaranteeing Safe Passage to The United States Treasury.

**BOE #1**

1. Navy Federal Credit Union – Account #8029225409 – \$2,471,404.00
2. Navy Federal Credit Union – Account #8032656863 – \$496,801.00


Total \$2,968,205.00 + \$296,820.50 + \$296,820.50 = **\$3,561,846.00**

**BOE #2**

1. Huntington Bank – Account #20-200062643430 – \$25,000.00
2. Internal Revenue Service – Account # \*\*\*\*\*0710 – \$250,000.00
3. Amelia Investors – \$376,265.00
4. Deni Carise – \$585,499.00
5. Capital One – Account # ???????? – \$2,500.00
6. PECO – Account #9026529000 – \$12,034.00
7. PECO – Account #3815114000 – \$2,665.00

Total \$602,698.00 + \$60,270.00 + \$60,270.00 = **\$723,238.00**

Date: 06/26/2024

/s/ , McLellan, Andrew  
Trustee/Bailor/Secured Party - Creditor  
All Rights Reserved, Without Prejudice and Without  
Recourse

## LETTER OF ADVICE

NOT SUBJECT TO NEGOTIABILITY- ACCEPTED FOR VALUE

In Re: Estate of McLellan - Orphans' Court -- Chester County, PA

Date: June 26<sup>th</sup>, 2024

Attn: UNITED STATES BANKRUPTCY COURT,  
Fiduciary Trustee, Bailee  
601 Market Street, Pennsylvania U.S.A. 19106  
Attn: Amy Chan, Fiduciary TTEE

McLellan, Andrew, Trustee/Bailor  
c/o PA Debtor Index File # \*\*\*\*~\*\*~  
LOAN # Bankruptcy Payment Plan  
4159 Whitehorse Road - Pennsylvania-19355

Re: NOTICE- Processing of Bill of Exchange (BOE-Time Draft)

The Fiduciary Trustee, UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA, is in receipt of the (BOE-TD) for processing of which will satisfy the entire current amount stated on purported claims/BK payment plan agreement herein Accepted for Value. This Negotiable Instrument is presented under authority of Public Law 73-10, UCC § 3-419, UCC § 3-104(c), *Spencer v Sterling Bank*, 63 Cal App. 4<sup>th</sup> 1055 (1998), *Guaranty Trust Co of New York v Henwood et al*, 59 S. Ct 847, and *Within Negotiable Instruments*, Vol 3 (2001 Supplement) on the undersigned's UCC Contract Trust Account. The following are the steps required to settle this account. This is not a Treasury/ Bond Account. Any fiscal agent or District Court of the United States may accept this BOE-TD for safe passage to the Treasury.

1. The enclosed Negotiable Instrument is hereby presented, and the following process must be followed to the letter, to satisfy the claimed amount due on this account and discharge of this debt; and
2. Payment may only be accessed with any approval through the account of UNITED STATES BANKRUPTCY COURT FOR THE EASTERN DISTRICT OF PENNSYLVANIA and directly to the Secretary of the Treasury. The Negotiable Instrument must be presented by Claimants'/Bailee's financial institution via Certified or Registered mail directly to the Secretary of the Treasury-Department of the Treasury Bank (Federal Window), 1500 Pennsylvania Avenue, NW, Washington, District of Columbia 20220, Attn: Janet Yellen; and
3. The item processor at Claimant's financial institution, with full identification and BAILEE (Authorized Agent) signature, is to present the original Negotiable Instrument along with the Instruction Notice (LOA) and the stamped claim to the Secretary of the Treasury-Department of the Treasury Bank at the above address; and
4. Claimant's financial institution is to retain copies of the document and request a copy of the Return Receipt from the Federal Window be supplied to them noting the date of the original Negotiable Instrument was received at the Federal Window in accordance with Public and Banking Policy; and
5. The copy of the Negotiable Instrument is to be held at the financial institution until the required period until the full-face amount of the Negotiable Instrument is automatically released by the local commercial pass-through financial institution for credit to Claimants'/Bailees' accounts and discharge and lodge an entry of satisfaction onto Chester County, Pennsylvania of all said claims; and
6. If the Secretary of the Treasury (Drawee) sends a Notice, in writing of some error(s) or problem(s), please notify the undersigned Trustee/Bailor immediately upon receipt of such Notice and the matter will be addressed with the Department of the Treasury Banks' federal window. You will be notified of the corrective action taken, if any.

Thank you for your cooperation in getting this tax matter settled and entry of satisfaction recorded.

/s/  McLellan, Andrew  
Trustee/Bailor/Secured Party - Creditor

\$ 723,238.00

\$723,238.00

**BILL OF EXCHANGE**

Bill of Acceptance - Time Draft

McLellan, Andrew, Trustee/Bailor/Secured Party - Creditor  
c/o PA Debtor Index File # \*\*\*~\*\*\*  
4159 Whitehorse Road  
PENNSYLVANIA U.S.A. [19355]

Date: June 26<sup>TH</sup>, 2024

To: Secretary of the Treasury, Department of the Treasury Bank- Ledger # 00000518

On or by JULY 12<sup>th</sup>, 2024, Credit the account of the fiduciary/fiscal agent, **U.S. Bankruptcy Court**, as Bailee

**(SEVEN HUNDRED TWENTY-THREE THOUSAND, TWO HUNDRED AND THIRTY-EIGHT DOLLARS AND ZERO CENTS) U.S. Notes**

Personal Direct Treasury (UCC Contract) Trust Account # RA- 640 339 685 US

The obligation of the Drawee (acceptor), Secretary of the Treasury, through the Bailee (authorized fiscal agent for the United States Treasury), hereof arises out of the want of consideration for the pledge and by the redemption of the pledge under Public Resolution HJR 192 of 5 June 1933, now Public Law 73-10, UCC § 3-419, UCC § 3-104(c), *Spencer v Sterling Bank*, 63 Cal App. 4<sup>th</sup> 1055 (1998), *Guaranty Trust Co of New York v Henwood et al.* 59 S. Ct 847, and *Within Negotiable Instruments*, Vol 3 (2001 Supplement) on the undersigned's UCC Contract Trust Account, represented by the attached BK payment plan agreement Accepted for Value and bearing the account numbers herein annexed.

This Claim document is hereby surrendered to fiscal agent, as said pledge is redeemed and (discharged) by the drawer through the attached document of Acceptance for Value and Exempt from Levy. The Fiscal Agents' financial institution is to accept this bill, sign and present it directly via Certified or Registered mail, Return Receipt to the Secretary of the Treasury-Department of the Treasury. Unless the original Negotiable Instrument is dishonored in writing within (15) days of receipt by the Secretary of the Treasury, Fiscal Agents' financial institution is to release the credit to the payee within the time stipulated pursuant to **Regulation "Z"**, *Truth In Lending Act* or on the date designated, whichever is later. The amount of this Accepted Draft is to be credited by Fiscal Agents' financial institution to the designated accounts and discharge of all claims fifteen (15) days after receipt by the Federal Window (**Regulation Z**).

**NOTICE:** The law relating to Principal and Agent applies and those between Bailor and Bailee. The Fiduciary Trustee below is authorized to execute legal documents pertaining to fiduciary matters before **United States Bankruptcy Court** and authorized to receive and collect any sums due or owing to the trust or the estate held by the named person above and enter satisfaction in any Court of Record in **Pennsylvania** or any other County elsewhere.

By:

Bailee's signature (authorized agent)  
Accepted at (**United States Bankruptcy Court**)  
601 Market Street, Pennsylvania 19106  
ATTN: **Amy Chan**, Fiduciary TTEE  
Authorized by the United States of America, Secretary of Treasury



Ashley M. [Signature] Trustee/Bailor/Secured Party - Creditor  
Without Recourse, All Rights Reserved

Document Copies...filed with the DTB and Clerk of Court-Orphans' Court.

\$ 723,238.00

\$723,238.00



8-796-36861-0000072-001-1-010-000-000-000

ANDREW R MCLELLAN  
4159 WHITE HORSE RD  
MALVERN PA 19355-9650

Accepted For Value  
Andrew R. Mclellan, 6/26/24

**Account Information**

Borrower's Name:	ANDREW R MCLELLAN
Property Address:	4159 WHITE HORSE RD MALVERN PA 19355
Borrower Access Number	11475775
Principal Balance	2,106,506.29
Amount Deferred	0.00
Escrow Balance	0.00
Escrow Advance Balance	116,266.36
Suspense Balance	0.00
Interest Rate	4.000%
Contractual Maturity Date	November 2051

The balance shown does not include the payoff interest calculations. If you need a payoff figure, Member Service Representatives are available at 1-888-842-6328 during the following hours: Monday - Saturday: 7:00am-Midnight, Sunday: Noon-Midnight, Eastern Time.

**Past Payments Breakdown**

Description	Paid Last Month	Paid Year to Date
First Principal	0.00	*0.00
Interest	0.00	*0.00
Deferred Principal	0.00	*0.00
Restricted Escrow Balance	0.00	*0.00
Life Insurance	0.00	*0.00
Fees / Expenses	0.00	*0.00
Expenses Paid	0.00	*0.00
Suspense	0.00	**
<b>Total</b>	<b>0.00</b>	<b>0.00</b>

\* Do not use these figures for reporting to the IRS. You will receive an annual year-end statement for tax purposes.

**Important Messages**

**Housing Counselor Information:** If you would like counseling or assistance, you can contact the following: U.S. Department of Housing and Urban Development (HUD): For a list of homeownership counselors or counseling organizations in your area, go to <http://www.hud.gov/offices/hsg/sfh/hcc/hcs.cfm> or call 800-569-4287.

Loan Number	8029225409
Statement Date	06/17/2024
Total Amount Due to Reinstate the Loan as of 06/17/2024	\$465,733.35

If payment is received after 12/16/21, a \$402.27 late fee will be charged.

**Explanation of Amount due to Reinstate**

Payment Due	\$14,331.24
-------------	-------------

**Other Amounts Owed**

Expenses Paid Balance	\$20,037.81
Late Charges	\$11,263.56
Other Fees	\$0.00

<b>Total Reinstatement Amount Due</b>	<b>\$465,733.35</b>
---------------------------------------	---------------------

The Total Reinstatement Amount Due, listed above, is the Total Amount to bring the loan current as of 06/17/2024. Interest, fees, and/or charges may continue to assess daily.

**The Mortgage has been Accelerated.**

Accelerated Amount Due: \$2,457,071.32

Please call us at 1-888-503-7102 to obtain the updated Accelerated Amount Due to pay off the loan.

**Delinquency Notice**

**This account is late on its mortgage payments. Failure to bring the loan current may result in fees and foreclosure - the loss of the home. As of 06/17/24, the mortgage account is 929 days delinquent.**

**Recent Account History**

Payment due 01/01/24:	Unpaid balance of \$14,508.92
Payment due 02/01/24:	Unpaid balance of \$14,331.24
Payment due 03/01/24:	Unpaid balance of \$14,331.24
Payment due 04/01/24:	Unpaid balance of \$14,331.24
Payment due 05/01/24:	Unpaid balance of \$14,331.24
Payment due 06/01/24:	Unpaid balance of \$14,331.24

Current payment date 06/17/24 \$14,331.24

**Total Reinstatement Amount \$465,733.35. This is the amount that, if paid, would bring the account current.**

This loan is currently active in Foreclosure, which based on state law, may require a Judicial or Non-Judicial legal action. As a result, the total reinstatement amount due may not include all fees and costs associated with the legal action. Please contact Navy Federal at 1-888-503-7102 and ask for the Foreclosure Department to discuss your options.



## MONTHLY FIXED EQUITY STATEMENT

3-796-36861-0000104-001-1-010-000-000-000

ANDREW R MCLELLAN  
4159 WHITE HORSE RD  
MALVERN PA 19355-9650

Accepted For Value  
A.R. Mclellan, 6/26/24

## Account Information

Borrower's Name:	ANDREW R MCLELLAN
Property Address:	4159 WHITE HORSE RD MALVERN PA 19355 9650
Borrower Access Number	11475775
Principal Balance	428,293.45
Amount Deferred	0.00
Escrow Balance	0.00
Escrow Advance Balance	0.00
Suspense Balance	0.00
Interest Rate	6.000%
Contractual Maturity Date	November 2041

The balance shown does not include the payoff interest calculations. If you need a payoff figure, Member Service Representatives are available at 1-888-842-6328 during the following hours: Monday - Saturday: 7:00am-Midnight, Sunday: Noon-Midnight, Eastern Time.

## Past Payments Breakdown

Description	Paid Last Month	Paid Year to Date
First Principal	0.00	*0.00
Interest	0.00	*0.00
Deferred Principal	0.00	*0.00
Restricted Escrow Balance	0.00	*0.00
Life Insurance	0.00	*0.00
Fees / Expenses	0.00	*0.00
Expenses Paid	0.00	*0.00
Suspense	0.00	**
Total	0.00	0.00

\* Do not use these figures for reporting to the IRS. You will receive an annual year-end statement for tax purposes.

## Important Messages

Housing Counselor Information: If you would like counseling or assistance, you can contact the following: U.S. Department of Housing and Urban Development (HUD): For a list of homeownership counselors or counseling organizations in your area, go to <http://www.hud.gov/offices/hsg/efm/hcc/hcs.cfm> or call 800-569-4207.

Loan Number 8032656863  
Statement Date 06/17/2024  
Total Amount Due to Reinstate the Loan as of 06/17/2024 \$143,388.55

If payment is received after 12/16/21, a \$172.25 late fee will be charged.

## Explanation of Amount due to Reinstate

Payment Due \$4,306.34

## Other Amounts Owed

Expenses Paid Balance \$2,172.83  
Late Charges \$4,650.75  
Other Fees \$0.00

Total Reinstatement Amount Due \$143,388.55

The Total Reinstatement Amount Due, listed above, is the Total Amount to bring the loan current as of 06/17/2024. Interest, fees, and/or charges may continue to assess daily.

## The Mortgage has been Accelerated.

Accelerated Amount Due: \$492,493.25

Please call us at 1-888-503-7102 to obtain the updated Accelerated Amount Due to pay off the loan.

## Delinquency Notice

**This account is late on its mortgage payments. Failure to bring the loan current may result in fees and foreclosure - the loss of the home. As of 06/17/24, the mortgage account is 929 days delinquent.**

## Recent Account History

Payment due 01/01/24: Unpaid balance of \$4,306.34  
Payment due 02/01/24: Unpaid balance of \$4,306.34  
Payment due 03/01/24: Unpaid balance of \$4,306.34  
Payment due 04/01/24: Unpaid balance of \$4,306.34  
Payment due 05/01/24: Unpaid balance of \$4,306.34  
Payment due 06/01/24: Unpaid balance of \$4,306.34

Current payment date 06/17/24 \$4,306.34

Total Reinstatement Amount \$143,388.55. This is the amount that, if paid, would bring the account current.

This loan is currently active in Foreclosure, which based on state law, may require a Judicial or Non-Judicial legal action. As a result, the total reinstatement amount due may not include all fees and costs associated with the legal action. Please contact Navy Federal at 1-888-503-7102 and ask for the Foreclosure Department to discuss your options.

# USPS Tracking®

FAQs >

Tracking Number:

Remove X

**RA640339677US**

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

## Latest Update

Your item was delivered to the front desk, reception area, or mail room at 2:13 pm on July 3, 2024 in PHILADELPHIA, PA 19107.

### Delivered

**Delivered, Front Desk/Reception/Mail Room**

PHILADELPHIA, PA 19107

July 3, 2024, 2:13 pm

[See All Tracking History](#)

What Do USPS Tracking Statuses Mean? (<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates



Product Information



See Less ^

Track Another Package

Enter tracking or barcode numbers

## Need More Help?

Contact USPS Tracking support for further assistance.



Tracking Number:

RA640339685US

Remove X

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to the front desk, reception area, or mail room at 2:13 pm on July 3, 2024 in PHILADELPHIA, PA 19107.

**Delivered**  
**Delivered, Front Desk/Reception/Mail Room**  
PHILADELPHIA, PA 19107  
July 3, 2024, 2:13 pm

[See All Tracking History](#)

[What Do USPS Tracking Statuses Mean? \(https://faq.usps.com/s/article/Where-is-my-package\)](https://faq.usps.com/s/article/Where-is-my-package)

Text & Email Updates

▼

Product Information

▼

See Less ^

Track Another Package

Enter tracking or barcode numbers

Need More Help?

Contact USPS Tracking support for further assistance.

# *Exhibit “C”*

FILED  
2024 OCT 22 P 2:28  
U.S. BANKRUPTCY COURT

**BILL OF EXCHANGE – BILL OF ACCEPTANCE  
TIME DRAFT**

**ALLOCATION PLAN**

In accordance with and presented under authority of Public Resolution HJR 192 of 5 June 1933, now Public Law 73-10, UCC § 3-419, UCC § 3-104(c), and Registered Adjustment of Account; Trustee/Bailor/Secured Party-Creditor on behalf of the Estate hereby issue Letter of Advice and Bill Of Exchange for the following accounts for Full Discharge, Settlement, and Restoration of the Record.

Bill Of Exchange listed value totals; declared account payment in full (listed below), 1 additional monthly payment to cover daily pro rata expenses (where applies), 7% processing/servicing fee for Navy Federal Credit Union. Copies of the B.O.E. have been attached to this Payment Plan. As Fiscal Agent for The United States of America, B.O.E. originals have been delivered directly to the Judge's Chambers, guaranteeing Safe Passage to The United States Treasury.

1. Navy Federal Credit Union – Account #8029225409	<b>\$2,829,900.21</b>
• Principal	\$2,106,506.29
• Balance Past Due	\$480,911.66
• Monthly Payment (July, Aug, Sept, Oct) (\$14,337.15 *4)	<u>\$57,348.60</u>
• Sub-Total	\$2,644,766.55
• 7% processing/servicing fee	\$185,133.66
2. Navy Federal Credit Union – Account #8032656863	<b>\$625,523.10</b>
• Principal	\$428,293.45
• Balance Past Due	\$139,082.21
• Monthly Payment (July, Aug, Sept, Oct) (\$4,306.34 *4)	<u>\$17,225.36</u>
• Sub-Total	\$584,601.02
• 7% processing/servicing fee	\$40,922.08
3. TOTAL ALLOCATION – BILL OF EXCHANGE ACCT #8029225409 & ACCT #8032656863	<b>\$3,455,423.31</b>

## LETTER OF ADVICE

NOT SUBJECT TO NEGOTIABILITY -- ACCEPTED FOR VALUE

Ref: Account Nos. 8029225409 & 8032656863

Date: September 9<sup>th</sup>, 2024

Attn: NAVY FEDERAL CREDIT UNION,  
AS TRUSTEE, BAILEE  
Dietrich Kuhlman, Fiduciary TTEE  
820 Follin Lane SE, Vienna, Virginia U.S.A. 22180

McLellan, Andrew, Trustee/Bailor  
c/o 4159 White Horse Road-Pennsylvania-19355  
PA Debtor Index File # 100536-1976  
Depositors Social Security Account # 196560710

Re: NOTICE- Processing of Bill of Exchange (BOE-Time Draft)

The Fiduciary Trustee, NAVY FEDERAL CREDIT UNION, is in receipt of the (BOE-TD) for processing of which will satisfy the entire current amount stated on purported claims/BK payment plan agreement herein Accepted for Value. This Negotiable Instrument is presented under authority of Public Law 73-10, UCC § 3-419, UCC § 3-104(c), *Spencer v Sterling Bank*, 63 Cal App. 4<sup>th</sup> 1055 (1998), *Guaranty Trust Co of New York v Henwood et al.* 59 S.Ct 847, *Bank One National Association, Etc. vs. Robert E. Ward & Sara S. Fugate, et al.* 7<sup>th</sup> Cir Volusia County, FL Case #2001-31118-CICI, and *Witkin Negotiable Instruments*, Vol 3 (2001 Supplement) on the undersigned's UCC Contract Trust Account. The following are the steps required to settle this account. This is not a Treasury/ Bond Account. Any fiscal agent or District Court of the United States may accept this BOE-TD for safe passage to the Treasury.

1. The enclosed Negotiable Instrument is hereby presented, and the following process must be followed to the letter, to satisfy the obligation due on the above accounts and discharge of this debt; and
2. Payment may only be accessed with any approval through the account of NAVY FEDERAL CREDIT UNION and directly to the Secretary of the Treasury. The Negotiable Instrument must be presented by Claimants'/Bailee's financial institution via Certified or Registered mail directly to the Secretary of the Treasury-Department of the Treasury Bank (Federal Window), 1500 Pennsylvania Avenue, NW, Washington, District of Columbia 20220, Attn: Janet Yellen; and
3. The item processor at Claimant's financial institution, with full identification and BAILEE (Authorized Agent) signature, is to present the original Negotiable Instrument along with the Instruction Notice (LOA) and the stamped claim to the Secretary of the Treasury-Department of the Treasury Bank at the above address; and
4. Claimant's financial institution is to retain copies of the document and request a copy of the Return Receipt from the Federal Window be supplied to them noting the date of the original Negotiable Instrument was received at the Federal Window in accordance with Public and Banking Policy; and
5. The copy of the Negotiable Instrument is to be held at the financial institution until the required period until the full-face amount of the Negotiable Instrument is automatically released by the local commercial pass-through financial institution for credit to Claimants'/Bailees' accounts and discharge and lodge an entry of satisfaction onto Chester County, Pennsylvania of all said claims; and
6. If the Secretary of the Treasury (Drawee) sends a Notice, in writing of some error(s) or problem(s), please notify the undersigned Trustee/Bailor immediately upon receipt of such Notice and the matter will be addressed with the Department of the Treasury Banks' federal window. You will be notified of the corrective action taken, if any.

Thank you for your cooperation in getting the accounts settled, claim discharges, and entry of satisfaction recorded.

/s/  Andrew R. McLellan  
Trustee/Bailor/Secured Party - Creditor

**\$ 3,455,424.00**

**\$ 3,455,424.00**

**BILL OF EXCHANGE**

Bill of Acceptance - Time Draft

Andrew R. McLellan, Trustee/Bailor/Secured Party - Creditor  
PA Debtor Index File # 100536-1976  
DSSAN 196560710  
c/o 4159 Whitehorse Road  
PENNSYLVANIA U.S.A. [19355]

Date: September 9<sup>TH</sup>, 2024

To: Secretary of the Treasury, Department of the Treasury Bank- Ledger # 00000518

On or by SEPTEMBER 27<sup>TH</sup>, 2024, Credit the account of the fiduciary/fiscal agent, **NAVY FEDERAL CREDIT UNION**, as Bailee for Account Nos. 8029225409 & 8032656863

**(THREE MILLION, FOUR HUNDRED FIFTY-FIVE THOUSAND, FOUR HUNDRED AND TWENTY-FOUR DOLLARS AND ZERO CENTS) U.S. Notes**

Personal Direct Treasury (UCC Contract) Trust Account # RA- 620 710 765 US

The obligation of the Drawee (acceptor), Secretary of the Treasury, through the Bailee (authorized fiduciary agent for the Commonwealth of Pennsylvania) of Claimant's financial institution, hereof arises out of the want of consideration for the pledge and by the redemption of the pledge under Public Resolution HJR 192 of 5 June 1933, now Public Law 73-10, UCC § 3-419, UCC § 3-104(c), *Spencer v Sterling Bank*, 63 Cal App. 4<sup>th</sup> 1055 (1998), *Guaranty Trust Co of New York v Henwood et al.* 59 S. Ct 847, and *Within Negotiable Instruments*, Vol 3 (2001 Supplement) on the undersigned's UCC Contract Trust Account, represented by the attached Claim/payment plan agreement Accepted for Value and bearing the account number # 8029225409 & 8032656863.

This Claim document is hereby surrendered to Claimant as said pledge is redeemed and (discharged) by the drawer through the attached document of Acceptance for Value and Exempt from Levy. The Claimant's financial institution is to accept this bill, sign and present it directly via Certified or Registered mail, Return Receipt to the Secretary of the Treasury-Department of the Treasury. Unless the original Negotiable Instrument is dishonored in writing within (15) days of receipt by the Secretary of the Treasury, Claimant's financial institution is to release the credit to the payee within the time stipulated pursuant to Regulation "Z", *Truth In Lending Act* or on the date designated, whichever is later. The amount of this Accepted Draft is to be credited by Claimant's financial institution to the designated account and discharge of this claim fifteen (15) days after receipt by the Federal Window (Regulation Z).

**NOTICE:** The law relating to Principal and Agent applies and those between Bailor and Bailee. The Fiduciary Trustee below is authorized to execute legal documents pertaining to fiduciary matters before **Chester County** and authorized to receive and collect any sums due or owing to the trust or the estate held by the named person above and enter satisfaction in any Court of Record in **Chester County, Pennsylvania** or any other County elsewhere.

By: \_\_\_\_\_  
Bailee's signature (authorized agent)  
**Dietrich Kuhlman, Fiduciary TTEE**  
Authorized by the United States of America, Secretary of Treasury



/s/ Andrew R. McLellan, Trustee/Bailor/Secured Party - Creditor  
Without Recourse, All Rights Reserved

**\$ 3,455,424.00**

**\$ 3,455,424.00**

9-798-38456-0000862-001-1-010-000-000-000



**ANDREW R MCLELLAN**  
4159 WHITE HORSE RD  
MALVERN PA 19355-9650

*Accepted for Value.*  
*Andrew R. Mclellan, 9/9/24*

Account Number	8029225409
Statement Date	08/15/2024
Payment Date	09/01/2024
Payment Amount	\$43,011.45

**Bankruptcy Message**

Our records show that the mortgage account is in bankruptcy. We are sending this statement to you for informational and compliance purposes only. It is not an attempt to collect a debt against you.  
If the bankruptcy plan requires regular monthly mortgage payments be sent to the Trustee, you should pay the Trustee instead of us. Please contact your attorney or the Trustee if you have questions.  
If you want to stop receiving statements, write to us.

**Account Information**

Borrower's Name:	ANDREW R MCLELLAN
Property Address:	4159 WHITE HORSE RD MALVERN PA 19355
Borrower Access Number	11476775
Principal Balance	2,108,506.29
Deferred/Cramdown Amount	0.00
Escrow Balance	0.00
Escrow Advance Balance	134,706.35
Suspense Balance	0.00
Interest Rate	4.000%

The balance shown does not include the payoff interest calculations. If you need a payoff figure, Member Service Representatives are available at 1-888-842-6328 during the following hours: Monday - Saturday: 7:00am-Midnight, Sunday: Noon-Midnight, Eastern Time.

If you are experiencing Financial Difficulty, Contact Navy Federal's Member Outreach Team to know your Loss Mitigation options to avoid Foreclosure at 1-888-503-7102. Housing Counselor Information: If you would like counseling or assistance, you can contact the following: U.S. Department of Housing and Urban Development (HUD). For a list of homeownership counselors or counseling organizations in your area, go to <http://www.hud.gov/offices/hsg/afh/hcc/hcs.cfm> or call 800-568-4287.

**Past Payments Breakdown**

Description	Paid Last Month	Paid Year to Date
First Principal	0.00	*0.00
Interest	0.00	*0.00
Escrow (Taxes & Insurance)	0.00	*0.00
Life Insurance	0.00	*0.00
Fees and Charges	0.00	*0.00
Expenses Paid	0.00	*0.00
Partial Payment / Suspense	0.00	**
<b>Total</b>	<b>0.00</b>	<b>0.00</b>

\* Do not use these figures for reporting to the IRS. You will receive an annual year-end statement for tax purposes.

**Explanation of Payment Amount  
(Post-Petition Payment)**

Principal	\$3,387.39
Interest	\$6,669.39
Escrow	\$4,280.37
Regular Monthly Payment	\$14,337.15
Past Unpaid Amount	\$28,674.30
<b>Fees and Charges</b>	
Total Fees and Charges	\$0.00
<b>Total Payment Amount</b>	<b>\$43,011.45</b>

The Payment Amount does not include any amount that was past due before you filed for bankruptcy.

**Summary of Amounts Past Due Before Bankruptcy  
(Pre-Petition Arrears)**

Paid Last Month	\$0.00
Total Paid During Bankruptcy	\$0.00
<b>Current Balance</b>	<b>\$480,911.66</b>

This box shows amounts that were past due when you filed for bankruptcy. It may also include other allowed amounts on the mortgage loan. The trustee is sending us the payments shown here. These are separate from the regular monthly mortgage payment.

**Important Messages**

We have not received all of the mortgage payments since you filed for bankruptcy.

This statement may not show recent payments you sent to the Trustee that the Trustee has not yet forwarded to us. Please contact your attorney or the Trustee if you have questions.

0-798-38458-0000804-001-1-010-000-000-000



ANDREW R MCLELLAN  
4159 WHITE HORSE RD  
MALVERN PA 19355-9650

Account Number	8032656863
Statement Date	08/15/2024
Payment Date	09/01/2024
Payment Amount	\$12,919.02

*Accepted for Value.*  
*Andrew R. Mclellan, 9/9/24*

**Bankruptcy Message**

Our records show that the mortgage account is in bankruptcy. We are sending this statement to you for informational and compliance purposes only. It is not an attempt to collect a debt against you.

If the bankruptcy plan requires regular monthly mortgage payments be sent to the Trustee, you should pay the Trustee instead of us. Please contact your attorney or the Trustee if you have questions.

If you want to stop receiving statements, write to us.

**Account Information**

Borrower's Name:	ANDREW R MCLELLAN
Property Address:	4159 WHITE HORSE RD MALVERN PA 19355 9650
Borrower Access Number	11475775
Principal Balance	428,293.45
Deferred/Cramdown Amount	0.00
Escrow Balance	0.00
Escrow Advance Balance	0.00
Suspense Balance	0.00
Interest Rate	6.000%

The balance shown does not include the payoff interest calculations. If you need a payoff figure, Member Service Representatives are available at 1-888-842-6328 during the following hours: Monday - Saturday: 7:00am-Midnight, Sunday: Noon-Midnight, Eastern Time.

If you are experiencing Financial Difficulty: Contact Navy Federal's Member Outreach Team to know your Loss Mitigation options to avoid Foreclosure at 1-888-503-7102. Housing Counselor Information: If you would like counseling or assistance, you can contact the following: U.S. Department of Housing and Urban Development (HUD): For a list of homeownership counselors or counseling organizations in your area, go to <http://www.hud.gov/offices/hsg/efth/hcs/hcs.htm> or call 800-568-4287.

**Past Payments Breakdown**

Description	Paid Last Month	Paid Year to Date
First Principal	0.00	*0.00
Interest	0.00	*0.00
Restricted Escrow Balance	0.00	*0.00
Life Insurance	0.00	*0.00
Fees and Charges	0.00	*0.00
Expenses Paid	0.00	*0.00
Partial Payment / Suspense	0.00	**
Total	0.00	0.00

\* Do not use these figures for reporting to the IRS. You will receive an annual year-end statement for tax purposes.

**Explanation of Payment Amount  
(Post-Petition Payment)**

Principal	\$2,631.85
Interest	\$1,674.49
Escrow	\$0.00
Regular Monthly Payment	\$4,306.34
Past Unpaid Amount	\$8,612.68
Fees and Charges	
Total Fees and Charges	\$0.00
Total Payment Amount	\$12,919.02

The Payment Amount does not include any amount that was past due before you filed for bankruptcy.

**Summary of Amounts Past Due Before Bankruptcy  
(Pre-Petition Arrearage)**

Paid Last Month	\$0.00
Total Paid During Bankruptcy	\$0.00
Current Balance	\$139,082.21

This box shows amounts that were past due when you filed for bankruptcy. It may also include other allowed amounts on the mortgage loan. The trustee is sending us the payments shown here. These are separate from the regular monthly mortgage payment.

**Important Messages**

We have not received all of the mortgage payments since you filed for bankruptcy.

This statement may not show recent payments you sent to the Trustee that the Trustee has not yet forwarded to us. Please contact your attorney or the Trustee if you have questions.

ALERT: TROPICAL CYCLONE HELENE, FLOODING, AND SEVERE WEATHER IN THE SOUTHEA...

Tracking Number:

RF620710765US

Remove X

Copy

Add to Informed Delivery (<https://informedelivery.usps.com/>)

Latest Update

Your item was delivered to an individual at the address at 11:29 am on September 16, 2024 in VIENNA, VA 22180.

**Delivered**  
**Delivered, Left with Individual**  
VIENNA, VA 22180  
September 16, 2024, 11:29 am

*See All Tracking History*

What Do USPS Tracking Statuses Mean? (<https://faq.usps.com/s/article/Where-is-my-package>)

Text & Email Updates

▼

Product Information

▼

See Less ^

Track Another Package

Enter tracking or barcode numbers

Feedback



# *Exhibit “D”*

FILED  
2024 OCT 22 P 2:28  
U.S. BANKRUPTCY COURT

JK

**Your CUSIP Results are as follows:**

**ANDREW ROBERT MCLELLAN (MTG 8029225409)**

**4159 White Horse Drive, Malvern, PA 19355**

**TCW Global Real Estate Fund**

Symbol: TGREX

CUSIP: **872365796**

Inception Date: 12/1/2014

Net Assets: \$30,271,000.00 as of  
1/21/2023

Portfolio Assets: \$30,271,000.00 as of  
1/21/2023

**A little about the Fund:**

TCW Global Real Estate Fund is an open-end fund incorporated in the USA. The Fund aims to maximize total return from current income and long-term capital growth. The Fund invests in equity securities of real estate investment trusts ("REITs") and real estate companies.

